

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs. Luther Jarold Goad, Jr., and Charles Vernon Waymire	For U. S.: Lawrence A. McSoud Assistant U. S. Attorney Continental Ins. Co. of NY John Roark, Atty-in-Fact 1810 Commerce Street, Dallas 75201 For Defendant: G. Douglas Fox (Apptd. - Goad) 4th Natl. Bk. Bldg. Tulsa, Okla. 74119 Elmore A. Page (Waymire) Mayo Building, Tulsa 74103

Goad - Closed
Waymire - Closed

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed <i>2-15-70 Goad</i> <i>1-31-69</i>	Clerk	<i>4-10-69</i> <i>4-17-69</i>	Page C/D 45	5 00	5 00
J.S. 3 mailed <i>4-30-69 (2)</i> <i>1-31-70 Goad</i>	Marshal				
Violation Steal from bank Title 18 Sec. 2113(b)	Docket fee				

DATE	PROCEEDINGS
1-15-69	Record vote of the grand jury, filed in open Court. b
1-15-69	Indictment, filed in open Court. b
1-15-69	Appearance Bond of Charles V. Waymire, in the amount of \$25,000.00, filed; surety - Summit Fidelity and Surety Company. (Pete King) b
1-17-69	Defendant, Luther J. Goad, Jr.'s motion for reduction of bail, filed. b
1-17-69	Affidavit of Luther J. Goad, Jr., in support of motion for reduction of bail, filed. b
1-24-69	Ordered by the Court that motion of defendant for reduction of bail be considered as an application to review conditions of release imposed by U. S. Commissioner and is to be reviewed by Benjamin B. Ballenger, U. S. Commissioner. (Fred Daugherty - Judge) b
2-6-69	Motion to Discover and Inspect filed by defendant Waymire filed. h
2-6-69	Motion to Disclose Witnesses of the Government who will appear at the time of Trial filed by defendant Waymire. h
2-6-69	Motion for the Production of Evidence favorable to the accused filed by defendant Waymire. h
2-7-69	Defendants present and represented. Defts. arraigned, receive copy of Indictment, advised as to charge and penalty, and deft. Goad enters a plea of NOT GUILTY, and granted 10 days to plead to Indictment.

(over)

DATE	PROCEEDINGS
	Deft. Waymire enters a plea of NOT GUILTY, and granted 10 days to plead to Indictment. (FD-J)m
2-13-69	Case set for jury trial Monday 3-10-69 at 9:30 a.m., as to each deft. (FD-J)m
2-17-69 ✓	Motion of Charles Vernon Waymire for disclosure of matters occurring before the Grand Jury (with brief), filed. g
2-17-69 ✓	Motion To Suppress Evidence, of Luther J. Goad, Jr., filed. js
2-17-69	Affidavit and Brief in Support of Motion to Suppress Eviedenc, filed. js
2-17-69 ✓	Motion To Permit Inspection of Grand Jury minutes, by Luther J. Goad, Jr. filed. js
2-17-69	Brief in Support of Motion to Permit Inspection, by Luther J. Goad, Jr. filed. js
2-17-69 ✓	Motion For Separate Trials, by Luther J. Goad, Jr., filed. js
2-17-69	Brief in Support of Motion for separate trials, filed. js
2-17-69 ✓	Motion to Dismiss for want of Prosecution, by Luther J. Goad, jr. filed. js
2-17-69	Brief in Support of Motion to Dismiss, filed. js
2-17-69 ✓	Motion For Discovery and Inspection, by Luther J. Goad, Jr., filed. js
2-17-69	Brief in Support of Motion for Discovery & Inspection, filed. js
2-18-69	Response to Motions filed by Charles Waymire, Motion For Discovery and Inspection, filed. js
2-18-69	Ordered that govt. respond to deft. Waymire's motion to discover and inspect, motion to disclose witnesses, and motion for disclosure of matters before the Grand Jury; and deft. Goad's motion for separate trials, motion to dismiss for want of prosecution, motion for discovery and inspection, motion to suppress evidence, and motion to inspect Grand Jury minutes within 10 days. (FD-J)m
2-18-69	Petition for writ of habeas corpus ad testificandum, filed. ds (Jerome V. Walton
2-18-69	Order granting writ of habeas corpus ad testificandum for Jerome V. Walton, filed. ds (Writ issued) (FD-J)
2-18-69	Petition for writ of habeas corpus ad testificandum for Charles Thornbrugh, filed. ds
2-18-69	Order granting writ of habeas corpus ad testificandum for Charles Thornbrugh, filed. (FD-J) ds Writ issued
2-20-69	Order filed, defendant, Waymire's motion requesting the Court to order the plaintiff to disclose the witnesses it will use against him at the trial, denied. (Fred Daugherty-Judge) b
2-20-69	Order filed, defendant, Waymire's motion for the production of evidence favorable to the accused, denied, but will be furnished if any comes to its attention. (Fred Daugherty-Judge) b
2-20-69	Order, filed, defendant, Waymire's motion to discover and inspect pursuant to Rule 16 FRCP, any statements or confessions, physical or mental examinations, scientific tests or experiments, any books, papers, documents, tangible objects, building or places, sustained, that the defendant's counsel call on the U. S. Attorney at his office on 2-25-69 at 10:00 A. M. and plaintiff to produce such items and report filed within 3 days thereafter, setting forth the results, etc. (Fred Daugherty - Judge) b
2-20-69	Order filed, defendant, Waymire's motion for disclosure of matters occurring before the grand jury, denied. (Fred Daugherty - Judge) b
2-20-69	Copies of the above 4 orders mailed to Page and McSoud. b
2-24-69	Order that motion of Luther Jerold Goad, Jr., for reduction of bail (treated as an application to review conditions required at setting of bond) is overruled and denied. (Ben B. Ballenger - U. S. Commissioner) filed.

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D. C. 109A
CRIMINAL DOCKET

Sheet No. 2

DATE	PROCEEDINGS
2-25-69	Report of meeting pursuant to order of Court filed 2-20-69, filed. m (as to deft. Waymire).
2-27-69	Ordered by the Court that the government respond, with brief, to the defendant Luther Jarold Goad, Jr.'s motions to suppress evidence; for discovery and inspection; dismiss for want of prosecution; to permit inspection of Grand Jury Minutes; and for separate trials, within 5 days from date. (Fred Daugherty - Judge) b
2-27-69	Response to Motions filed by defendant Luther Jarold Goad, Jr. filed by government. h
3-6-69	Amendment to report of meeting pursuant to order of court filed February 27, 1969, filed. ds
3-10-69	Case called for trial. Defendants present and represented. Hearing held on various motions. Ordered that deft. Goad's motion to permit inspection of Grand Jury Minutes is overruled; deft. Goad's motion for separate trials and motion to dismiss for want of prosecution are each withdrawn; deft. Goad's motion for discovery and inspection satisfied by govt. No further order needed. Hearing on deft. Goad's motion to suppress evidence held and passed to 3-11-69. (FD-J)b
3-11-69	Hearing held on deft. Goad's motion to suppress evidence. Defendants present and represented. Motion is overruled and denied. Motion of deft. Waymire for severance is denied. Case to be tried at 1:15 p.m. (FD-J)b 1:30 p.m. Case tried to a jury March 11, 12 & 13. Defendants present and represented. Jury returns from deliberation with verdicts finding defendants each GUILTY. Jury polled as to each defendant and all answered "Yes". Defts. each adjudged GUILTY. Sentencing passed pending probation officer's report. Deft. Waymire to remain on present bond. Deft. Goad committed to custody of U.S. Marshal. (FD-J)(LC-CSR)b
3-13-69	Verdict, finding deft. Luther Jarold Goad, Jr., guilty, filed in open court. b
3-13-69	Verdict, finding deft. Charles Vernon Waymire, guilty, filed in open court. b
3-19-69	Motion for Severance filed by defendant Waymire. h
3-10-69	Memorandum brief filed. h
3-13-69	3 Subpoena to Testify and 5 Subpoenas to Produce Document filed.
3-13-69	Trial exhibits, filed. b
3-21-69	Return on writ of habeas corpus ad testificandum, filed. Executed by assuming custody of Charles Thornbrugh at Cummins Farm, Grady, Arkansas, on 3-1-69 and transferring him to Rogers Co. Jail, Claremore, Oklahoma, on 3-2-69. ds
3-21-69	Return on writ of habeas corpus ad testificandum, filed. Executed by delivering Jerome V. Walton to Tulsa, Okla, by deputy of ND Texas, Ft. Worth, on 2-26-69, then picked up by deputy of Los Angeles, Cal. on 3-19-69, for transfer to USM, Ft. Worth, Texas, for trial in that district. ds
3-24-69	Case set for sentencing as to each deft. on Tuesday 4-8-69 at 11:00 a.m. (FD-J)m
4-8-69	Defendants, Luther Jarold Goad, Jr., and Charles Vernon Waymire, each present in person and represented by counsel.
	Judgment and Sentence - Luther Jarold Goad, Jr.
	Ten (10) Years, defendant advised as to his right to appeal and states that he will appeal. Request for stay of execution denied and his appeal bond is fixed in the amount of \$40,000.00 cash or surety company.

(Continued on Page 4, Sheet No. 2)

DATE	PROCEEDINGS
	<p>Judgment and Sentence - Charles Vernon Waymire</p> <p>Ten (10) Years, defendant advised as to his right to appeal and gives oral notice of appeal.</p> <p>Defendant requests an appeal bond be fixed and it is fixed in the amount of \$40,000.00 cash or surety company company, with restrictions that he not leave Tulsa County, not associate with convicts and that he be at his home from 9:00 P. M. to 6:00 A. M., each and every night.</p>
4-8-69	Judgment and Commitment as to the defendant, Luther Jarold Goad, Jr., filed and entered. (Fred Daugherty - Judge) b
4-8-69	Two c. c. of J & C as to Luther Jarold Goad, Jr., delivered to the U. S. Marshal. b
4-8-69	Judgment and Commitment as to the defendant, Charles Vernon Waymire, filed and entered. (Fred Daugherty - Judge) b
4-8-69	Two c. c. of J & C as to Charles Vernon Waymire delivered to the U.S. Marshal. b by Waymire
4-10-69	Notice of appeal, filed. Cpy mailed to USCA and Lawrence A. McSoud. g
4-18-69	Affidavit for leave to appeal in forma pauperis, with order of Court granting leave to proceed, filed. (FD-J)g
4-18-69	Notice of appeal by Luther J. Goad, Jr., filed. g cpy to USCA and counsel. g for deft. Goad
4-21-69	Order to transcribe record (original and 1 copy) at government expense, filed. (FD-J)g
4-24-69	Application of Charles Vernon Waymire for transfer of custody, with a preservation of his appeal rights; that he served sentence imposed in the District Court of Tulsa County, Okla., before serving this sentence and while on appeal, filed. b
4-28-69	Motion of Charles Vernon Waymire, with affidavit attached, the forma pauperis be granted to pay costs incident to his appeal to the U. S. Court of Appeals, Tenth Circuit, filed. b
5-2-69	Order filed, granting leave to prosecute appeal in forma pauperis, Waymire record, with one copy to be transcribed at the expense of the United States. (Fred Daugherty-Judge) b copies mailed to Elmore A. Page and Lee Cook, CSR. b
5-2-69	Ordered by the Court that the plaintiff respond to the defendant's Waymire's application for transfer of custody, with a preservation of his appeal rights, within 10 days from date. (Fred Daugherty-Judge) b
5-15-69	Response of government as to Waymire filed. h
5-19-69	Order extending time for Charles Vernon Waymire to appeal in forma pauperis to June 20, 1969. (Fred Daugherty, Judge)g cpy to USCA and counsel.
5-22-69	Order granting Luther Jarold Goad, Jr. leave to prosecute appeal in forma pauperis and ordering transcript of record at government expense, filed. (Fred Daugherty, Judge) cpy to Court Reporter. g
5-23-69	Motion for extension of time for filing record and docketing appeal, filed. ds Defendant moves for extending time to and including 6-20-69.
5-28-69	Order extending time for Luther Jarold Goad, Jr., to and including June 20, 1969 to file record and docket appeal in CA-10C. (Fred Daugherty - Judge) Copies mailed to Whitaker, Clerk CCofA, Doug Fox and U. S. Attorney. b
6-2-69	Order that defendant Waymire be delivered to authorities of State of Okla. for service of sentence imposed by Dist. Court of Tulsa County in Case No. 23,496 on 4-9-69, subject to the further order of this Court respecting the sentence imposed in the instant case upon deft., filed and entered. (FD-J)m

Cont'd

(Continued on Page No. 5, Sheet No. 3)

DATE	PROCEEDINGS
6-5-69	Return on order filed. Executed by delivering copy to Sheriff of Tulsa County's office, and releasing defendant from Federal custody and returning him to State authorities. ds
6-11-69	Defendant Goad's motion for reduction of bail, with affidavit, filed.m
6-12-69	Plaintiffs's response in opposition to motion of Luther Jarold Goad, Jr. for reduction of bail, filed. ds (mailed)
6-16-69	Order filed denying the defendant, Luther Jarold Goad, Jr., motion for reduction of bail; that the order fixing appeal bond at \$40,000.00 is vacated and the defendant, Luther Jarold Goad, Jr., is ordered detained without bail, filed. (Fred Daugherty - Judge) b copies mailed. b
6-20-69	Order extending time to docket appeal to and including July 9, 1969, filed. (FD-Judge) cc to USCA and counsel. g
7-8-69	Short transcript of record sent to USCA to docket appeal; counsel to request extension of time. g
8-5-69	Court reporter's transcript of trial proceedings (3 copies), filed. g (Lee Cook, Reporter)
8-12-69	Appeal record forwarded to USCA, Denver. (2 copies held for use of counsel. g
9-29-69	Return on J&C, filed, as to deft. Goad. Deft. Goad delivered on 9-24-69 to U.S. Penitentiary at Leavenworth, Kansas. m
12-1-69	Return on J&C, filed; defendant Charles Vernon Waymire delivered to U.S. Penitentiary at Leavenworth, Kansas on 11-15-1969. g
6-15-70	Mandate and Opinion of USCA, 10th Circuit, reversing judgment of 4-8-69, as to defendant Luther Jarold Goad, Jr., and remanding case for further proceedings consistent with the opinion, filed and spread of record. g
7-1-70	Motion of defendant Luther Jarold Goad, to dismiss filed. ^{mailed} b
7-1-70	Brief of defendant, Luther Jarold Goad, in support of motion to dismiss, filed. b ^{mailed}
7-7-70	Mandate and Opinion of USCA, 10th Circuit, affirming judgment of Apr. 8, 1969, filed. (Judge Daugherty has Opinion)g as to Waymire.
7-7-70	Ordered by the Court that the plaintiff respond, with brief, to the defendant Luther Jarold Goad, Jr., motion to dismiss, within 10 days. (Fred Daugherty - Judge) b
7-17-70	Response to Brief in support of motion to dismiss filed. h
7-20-70	Order filed, Motion to dismiss of Luther Jarold Goad, Jr., is overruled. (Fred Daugherty-Judge) copies mailed counsel of record. b
10-7-70	Case set for jury trial Monday 10-26-70 at 9:30 a.m. (AEB-J)m
10-8-70	Return of Orig Order, delivering the defendant Luther J. Goad, Jr. to U. S. Pen. in Leavenworth, Kansas on Sept. 16, 1970, and the Order of the Court (FD-J) setting bond in the amount of \$50,000.00, until new trial is had. filed. js
10-16-70	Minute Order: At the request of Judge Daugherty this case should be set on Judge Barrow's jury docket of 10-26-70 for trial. (FD-J)(AEB-J)m
10-22-70	Defendant's motion for continuance, filed. ds
10-22-70	Defendant's brief in support of motion for continuance, filed. ds
10-22-70	Minute Order: Pursuant to conversation with Judge Daugherty and Motion for Continuance of Counsel for the defendant, the case is stricken, from Jury Docket of 10-26-70 and to be reset.(AEB-J). js
12-22-70	Letter from Charles Vernon Waymire for reduction of sentence, filed. b
12-22-70	Copy of Judge Daugherty's letter to Waymire denying request for reduction of sentence, filed. b
1-6-71	Order, filed, that U.S.Marshall take deft. Goad into custody from Marshal at Sioux Falls, S. Dakota, & return him to NDO to stand trial or until

(over)

DATE	PROCEEDINGS
1-6-71	deft. furnishes bond in amt. of \$10,000.00 (surety). (AEB-J)m Return on above order, filed. Executed by taking deft. Goad into custody in Sioux Falls, S. Dakota, & returning him to NDO for appearance in Court. m
1-21-71	Dismissal of Indictment as to Luther Jarold Goad, Jr., filed and entered. It is ordered that pursuant to Rule 48(a) of the FRCP and by authorization of the Criminal Division Dept of Justice the case is dismissed (AEB-J)h
3-1-71	Application For Intervention & Application for Order for Release of Funds, filed (Continental Ins. Co.) js
3-13-71	Response to Application for intervention and Application for Order for Release of Funds, filed. r
3-30-71	Order filed, application of The Continental Insurance Company of New York is denied but the Court will entertain a timely application of said company to intervene in Civil Case No. 71-C-67 pursuant to Rule 24, FRCP. (Fred Daugherty - Judge) Copies mailed ot Page, Fox, Roark and Graham) b
4-9-71	Order overruling application for intervention and application for order for release of funds filed by Continental Ins. Co. of N. Y., filed.(AEB-J)m
4-18-73	Application of USA to remove government exhibits and for order to dispose of weapons, filed. g
4-19-73	Order permitting removal of Govt's Exh. 9 thru 14, 17 thru 21, 24 thru 27, 29 and 30; and that the agent in charge of F.B.I in Okla City is hereby authorized to dispose of firearms and ammunition designated as Pltf's exhs. 18, 19, and 20, according to law, filed. (FD-J)r (Copy of U.S. Attys)
11-25-75	Order for transfer of evidence, filed, directing Clerk to release all pltf's exhibits to U.S. Atty. for disposition, specifically a large metal box. (FD-J)hm